

FILED  
Clerk  
District Court

SEP 02 2005

1 LAW OFFICE OF LOREN A SUTTON  
2 LOREN A. SUTTON, ATTORNEY AT LAW  
3 SUMMER HOLIDAY HOTEL, SUITE 7101  
P.O. BOX 5593 CHRB  
3 SAIPAN MP 96950

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

4 Counsel for Defendant

5 IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS

6 ) CIVIL CASE NO. CV05-0025  
7 WILLIAM KAIPAT as personal )  
representative of KIMITOSY )  
8 WILLY, deceased, )  
Plaintiff, )  
9 )  
vs. ) ANSWER TO COMPLAINT  
10 )  
11 TATSUYA OIKE, )  
12 Defendant )  
13 )  
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14 COMES NOW, Loren A. Sutton, by and for the Defendant,  
15 Tatsuya Oike, and answers the Complaint, seriatim, as follows:  
16  
1. Admitted  
17  
2. Defendant has insufficient knowledge to form a belief as  
18 to the truth or falsity of this allegation and it is therefore,  
19 denied.  
20  
3. Admitted  
21  
4. Admitted  
22  
5. Admitted  
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ENTERED  
[Signature]

ORIGINAL

1       6. Admit that Defendant struck Kimitosy Willy and deny that  
2 Defendant was intoxicated and speeding.

3       7. Admit that an ambulance was called and Willy was taken  
4 to CHC where he later died. As to the rest of this allegation,  
5 Defendant has insufficient knowledge to form a belief as to the  
6 truth or falsity of the allegation and it is therefore denied.

7       8. Admitted that Defendant's scooter struck Willy, the rest  
8 of this allegation is denied.

9       9. Denied.

10       10. Answers to allegations in paragraphs 1 through 9 are  
11 hereby incorporated herein.

12       11. Admit that Willy died from severe injuries that  
13 required the services of medical personnel, deny the rest of  
14 this allegation.

15       12. Admit that decedent Willy suffered physical injury, deny  
16 the rest of this allegation.

17       13. Denied

18       14. Denied

19       15. Denied

20       16. Answers to allegations in paragraphs 1 through 15 are  
21 hereby incorporated herein.

22       17. Admitted.

23       18. Denied

24

25

19. Denied

2 | 20.Denied

3 | 21. Denied

4 | 22. Denied

## FURTHER DEFENSES

## A. Assumption of the Risk

**B. Contributory Negligence and/or Comparative Negligence**

8 (Uniform Comparative Fault Act-P.L. 12-26).

9 C. Negligence of Another.

10 D. Accord and Satisfaction.

Defendant reserves the right to add further defenses as may be revealed as the result of discovery and does not waive his right to do so.

Defendant prays that Plaintiff take nothing and that the Court make such other rulings as are appropriate and just.

Respectfully submitted on this 2nd day of September 2005.

Loren A. Sutton  
Loren A. Sutton  
Counsel for Defendant  
Bar No. F0179

## VERIFICATION

22 I, Tatsuya Oike, am the Defendant in this action. I have  
23 read and understand the foregoing Answer to the Complaint

1 against me and hereby affirm and attest that the facts and  
2 answers contained therein are true and correct to the best of my  
3 knowledge and belief.

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5 AUG-18, 2005

6 Dated

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大庭 達也  
Tatsuya Oike, Defendant